

REMARKS

Claims 64-114 are pending.

Claims 64, 84, 103, 113, and 114 are amended to further patentably distinguish over the cited reference. Support for these amendments is found, for example, on page 30, line 23 through page 31, line 2 of the as filed-application. As explained on these pages, when the gaming machine is in the lockup routine, a “player selects a new game option or a new wager option” for a game. As would be understood by one of skill in the art and from the as filed-application, this new game is a game that has not been played at the gaming device by the player. No new matter has been added.

A number of the dependent claims are amended to bring them into conformity with the claims upon which they depend.

Claims Rejections under 35 U.S.C. §112

Claims 64-114 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Applicants respectfully disagree with the Office Actions interpretation of the second game outcome being dependent on the first game outcome in the as-filed application. (Office Action, page 3). In order to advance prosecution, however, claims 64, 84, 103, 113, and 114 are amended, as noted above, obviating this rejection.

Claim Rejections under 35 U.S.C. §102

Claims 64-78, 82-97, 101-109, and 113 and 114 were rejected under 35 U.S.C. §102(e) as being anticipated U.S. Patent Application Publication No. 2002/0183105 (Cannon).

Applicants respectfully request that the Examiner withdraw the outstanding rejection in view of the amendments and the following remarks. Reconsideration is respectfully requested.

Claim 64, as-amended, recites a gaming device in a casino gaming network, operable to:

- control a wager-based game played on the gaming device;
- display a first game selection menu including a first portion of content representing at least one first game play opportunity for selectively playing a first wager-based game at the gaming device;
- receive first input from a first player relating to selection of a first game to be played at the gaming device;

accept, at the gaming device, a first wager by the first player, the first wager being associated with play of the first game at the gaming device;
 initiate a start of the first game to thereby enable the first player to engage in game play of the first game at the gaming device;
 detect an occurrence of a first game lockup event relating to the first game;
 enable, in response to detecting the first game lockup event, a first lockup mode at the gaming device, wherein the first lockup mode is associated with the first game;
 disable, while the first lockup mode is enabled, player wagering capability at the gaming device for receiving wagers relating to the first game;
 after the first lockup mode is enabled, provide, during at least a portion of time while the first lockup mode is enabled, at least one second game play opportunity for allowing the first player to selectively play a second wager-based game at the gaming device concurrently while the first lockup mode is enabled;
 receive, while the first lockup mode is enabled, second input from the first player relating to selection of a second game to be played at the gaming device, wherein the second game is a game that the first player has not engaged in game play of at the gaming device;
 determine an identity of the second game using the second input from the first player;
 accept, at the gaming device and while the first lockup mode is enabled, a second wager by the first player, the second wager being associated with play of the second game at the gaming device;
 initiate, while the first lockup mode is enabled, a start of the second game to thereby enable the first player to engage in game play of the second game at the gaming device; and
 enable player wagers relating to the second game to be accepted at the gaming device during at least a portion of time while the first lockup mode is enabled.
 (Emphasis added).

As explained in the as-filed application, these features of a gaming device allow a player to play a second game at the gaming device when the gaming device is locked up due to an event (e.g., a large payout determination) in a first game. (Abstract). Previously, for example, when a player won a jackpot or other large payout determination in a game, the entire gaming device was disabled. (Page 1, lines 8-9). The player then had “to wait [e.g., 5-30 minutes] for an attendant to re-enable or reset the gaming apparatus to allow the player to continue playing a game on the gaming apparatus.” (Page 1, lines 11-20). With the gaming device recited in claim 64, however, when a first game at the gaming device is locked up due to an event, a player may select a second game and play the second game at the gaming device while waiting for an attendant.

Cannon describes a gaming machine which is “configured for mutually concurrent play of a plurality of games of chance on a single display screen.” (Abstract). The “mutually concurrent play” and “simultaneous play” in Cannon is game play in which “a plurality of

selected games may be initiated for play at the same time.” (Paragraph 0041). When a player is playing a plurality of games, a game with a specific outcome may be “locked up” and the player “given a predetermined number of plays . . . or predetermined time period . . . in which to achieve a specific outcome in at least one of the remaining games.” (Paragraph 0129). “A player able to achieve required specific outcomes in all of the initially displayed games in individual gaming windows 88 may be provided with a ‘grand prize’ or other appropriate award.” (Paragraph 0129). Cannon also describes examples and further features of “locking up” a gaming machine in paragraphs 0130 and 0144. All of the descriptions in Cannon of locking up a gaming machine are in the context of multiple games and one of the games with a specific outcome being “locked up.”

While Cannon represents a significant advance and broadly covers various aspects of the technology, Cannon does not appear to describe the feature of the gaming device being operable to “receive, while the first lockup mode is enabled, second input from the first player relating to selection of a second game to be played at the gaming device, wherein the second game is a game that the first player has not engaged in game play of at the gaming device.” (Claim 64). In Cannon, for example, when one game is locked up, the gaming machine does not receiving input “relating to the selection of a second game to be played at the gaming device.” (Claim 64). Instead, in Cannon, multiple games are played simultaneously, and when one game is locked up, the player may continue to play the games that are not locked up. Further, since games are played simultaneously in Cannon, there is no second game, “wherein the second game is a game that the first player has not engaged in game play of at the gaming device.”

Thus, as explained above, Cannon fails to describe the features of the gaming device being operable to “receive, while the first lockup mode is enabled, second input from the first player relating to selection of a second game to be played at the gaming device, wherein the second game is a game that the first player has not engaged in game play of at the gaming device.” (Claim 64). Claim 64 is patentable for at least this reason. Independent claims 84, 103, 113, and 114 incorporate similar features, and are patentable for at least the same reason.

Dependent claims 65-78, 82, 83, 85-97, 101, 102, and 104-109 incorporate the features of the independent claims upon which they dependent. These dependent claims are patentable for at least the reasons given above.

Claim Rejections under 35 U.S.C. §103

Claims 79-81, 98-100, and 110-112 were rejected under 35 U.S.C. §103(a) as being unpatentable over Cannon.

As explained above, Cannon fails to describe the features of the gaming device being operable to “receive, while the first lockup mode is enabled, second input from the first player relating to selection of a second game to be played at the gaming device, wherein the second game is a game that the first player has not engaged in game play of at the gaming device.” (Claim 64). The independent claims upon which claims 79-81, 98-100, and 110-112 depend include this feature. Claims 79-81, 98-100, and 110-112 are patentable for at least this reason.

Conclusion

The claims are believed to be in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call the undersigned attorneys at (510) 663-1100.

Applicants do not believe that any additional fees are required to facilitate the filing of this Amendment. However, if it is determined that such fees are due, please charge such additional fees to Deposit Account No. 504480 (Order No. IGT1P471).

Respectfully submitted,
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